

PLAINTIFF'S EXHIBIT U

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THE PEOPLE OF THE)
STATE OF ILLINOIS)
) No. 90-8602
vs.)
) Charge: Murder
LATHIERIAL BOYD)

REPORT OF PROCEEDINGS had at the hearing in the above-entitled cause, before the Honorable JUDGE SHELVIN SINGER, Judge of said court, on the 2nd day of October, A.D. 1990.

MR. CECIL A. PARTEE,
Acting State's Attorney, by:
MS. LORI LEVIN and
MR. JAMES BAILEY, JR.,
Assistant State's Attorneys,
appeared for the People.

Monica Cheung Chow, CSR
Official Court Reporter
Circuit Court of Cook County
Criminal Division

1 DAVID LOFTON,
2 called as a witness on behalf of the People of the
3 State of Illinois, having been first duly sworn, was
4 examined and testified as follows:

5 DIRECT EXAMINATION

6 BY MS. LEVIN:

7 Q Please state your name, spell your last name.

8 A David P. Lofton, L-o-f, as in Frank, t-o-n.

9 Q How old are you, sir?

10 A Twenty one.

11 Q Are you in school right now, sir?

12 A Yes.

13 Q Are you in college?

14 A College. Yeah, I's a college student.

15 Q What are you majoring in?

16 A Business, finance.

17 Q On February 24th, 1990 in the early morning
18 hours who were you with?

19 A I was with Jeff Osbourne, I was with Boris
20 cab, Rick Kutchek and Will Clohecy.

21 Q Who are these people?

22 A They're some friends of mine.

23 Q And where were you in the early morning hours
24 on February 24th, 1990?

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1 A We were at the Exedus Club.

2 Q What type of club is that?

3 A It's a reggae, you know, they have live bands
4 there.

5 Q And approximately 2:00 o'clock in the morning
6 what did you do?

7 A Well, we were exiting the -- we were leaving
8 the Exedus bar.

9 Q And are there any other bars that are located
10 in the vicinity of Exedus bar?

11 A I believe there are several, yes.

12 Q And did you have occasion to see whether
13 there were people coming out of those clubs or bars?

14 A Yes. That night, yes, there were people
15 leaving the bars.

16 Q And what side of the street were you on when
17 you got out of the Exedus Club?

18 A It would be the east side.

19 Q And this is the east side of what street?

20 A Clark.

21 Q And, sir, what occurred when you were
22 standing on the east side of Clark Street at
23 approximately 2:00 o'clock in the morning on February
24 24th, 1990?

1 A Well, two men approached us.

2 Q What happened at that time?

3 A They wanted to sell drugs is what I -- they
4 called them buds.

5 Q Who specifically did they approach first?

6 A I believe it was Will Clohecy.

7 Q And what occurred at that time?

8 A At that time I turned to grab Will and say
9 let's go and I heard shots fired.

10 Q Approximately how many shots did you hear
11 fired?

12 A Five or six.

13 Q And what occurred at that time?

14 A One of the shots was very loud in my right
15 ear and I felt something hit my head so at that point
16 I knew what was happening so I just fell to the ground
17 and covered my head.

18 Q What did you cover your head with?

19 A I put my hand on it. I was packing snow on
20 it.

21 Q That's your right hand?

22 A Yeah.

23 MS. LEVIN: May the record reflect that the
24 witness has a couple of times raised his right hand to